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EXAMINER

GAUTHIER, GERALD

ART UNIT

PAPER NUMBER

2645

DATE MAILED: 05/22/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/641,219

Applicant(s)

JANG, JUN-SIK

Examiner

Gerald Gauthier

Art Unit

2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☒ Claim(s) 4,6,10 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Objections

1. **Claims 4, 6 and 10** are objected to because of the following informalities: **claim 4**, line 1, 3-8 "bell/vibration" is confusing. It fails to recite either "bell and vibration" or "bell or vibration".

Claims 6 and 10 have the same problem. Correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. **Claims 1, 8, 9 and 11** are rejected under 35 U.S.C. 102(e) as being anticipated by Courtis et al. (US 6,377,820).

Regarding **claim 1**, Courtis discloses a device for outputting, as a voice, data information displayed on a display section of a portable telephone, comprising:

an audio output key for selecting an audio output mode of the portable telephone (column 4, lines 39-44) [The user press a button on the key pad to start the audio session];

a memory for storing data displayed on the display section of the portable telephone (column 4, lines 17-35) [The EEPROM is used to store data information];

an audio memory for storing audio data corresponding to the audio output mode of the portable telephone (column 4, lines 17-35) [The EEPROM is used to store voice information];

an audio processing section for modulating an audio signal inputted from a microphone, for converting said audio signal into, audio data, for demodulating audio data inputted from an RF processing section and audio data stored in the audio memory to convert into an audio signal, and for outputting said audio signal as a voice (column 5, lines 7-40) [The audio processing is done by comparing voice tag from the microphone to the voice tags in the memory];

and,

a control section, when said audio output mode is selected by manipulation of the audio output key, for reading out the data displayed in the display section from the memory and the audio data from the audio memory, and for transmitting the audio data to the said audio processing section for outputting as said voice (column 5, lines 41-62) [The microprocessor selects the voice tag with the best waveform match to output through the earpiece] .

Regarding **claim 8**, Courtis discloses a method of outputting, as a voice, data information displayed on a display section of a portable telephone including an audio output key, comprising the steps of:

detecting data displayed on the display section in response to the selective depression of the audio output key (column 5, lines 7-40) [The data is detected by the microprocessor]; and

reading out audio data corresponding to the detected data from an audio memory and outputting, as a voice, sequentially audio data corresponding to the data information displayed on the display section (column 5, lines 41-62) [The microprocessor selects the voice tag with the best waveform match to output through the earpiece].

Regarding **claim 9**, Courtis discloses a method of outputting, as a voice, data information displayed on a display section of a portable telephone including an audio output key, comprising the steps of:

detecting data displayed on the display section in a standby state of the portable telephone (column 5, lines 7-40) [The data is detected by the microprocessor];

determining whether or not the audio output key is depressed (column 4, lines 39-44) [The user press a button on the key pad to start the audio session];

storing data displayed on the display section in a memory while a corresponding audio output mode is selected in response to depression of the audio output key (column 4, lines 17-35) [The EEPROM is used to store data information];

reading out the data stored in the memory and an audio data corresponding to the readout data from an audio memory; and outputting, as a voice, the readout audio data through a speaker (column 5, lines 41-62) [The microprocessor selects the voice tag with the best waveform match to output through the earpiece].

Regarding **claim 11**, Courtis discloses a device for outputting, as a voice, data information displayed on a display section of a portable telephone, comprising:

an audio output key for selecting an audio output mode of the portable telephone (column 4, lines 39-44) [The user press a button on the key pad to start the audio session];

a memory for storing data displayed on the display section of the portable telephone (column 4, lines 17-35) [The EEPROM is used to store data information];

an audio memory for storing audio data corresponding to the audio output mode of the portable telephone (column 4, lines 17-35) [The EEPROM is used to store voice information];

an audio processing section for modulating an audio signal inputted from a microphone, for converting said audio signal into audio data, for demodulating audio data inputted from an RIF processing section and audio data stored in the audio memory to convert into an audio signal, and for outputting said audio signal as a voice (column 5, lines 7-40) [The audio processing is done by comparing voice tag from the microphone to the voice tags in the memory]; and,

a control section, when said audio output mode is selected by manipulation of the audio output key, for reading out the data displayed in the display section from the memory and the audio data from the audio memory, and for controlling said audio processing section to output said audio data as said voice (column 5, lines 41-62) [The microprocessor selects the voice tag with the best waveform match to output through the earpiece].

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. **Claim 2** is rejected under 35 U.S.C. 103(a) as being unpatentable over Courtis in view of Toba (US 6,374,125).

Regarding **claim 2**, Courtis as applied to **claim 1** above differs from **claim 2** in that it fails to disclose switching the audio output mode of the portable telephone into a time mode.

However, Toba teaches a device further comprising a time mode selecting key for switching the audio output mode of the portable telephone into a time mode while the audio output mode of the portable telephone is selected in response to depression of the audio output key, wherein a time data displayed on the display section of the portable telephone is read out from the memory and a time audio data corresponding to the time data is read out from the audio memory in response to depression of the time mode selecting key so that the read out-time audio data is outputted as said voice through the audio processing section and then a speaker (column 7, lines 1-29).

6. **Claim 3** is rejected under 35 U.S.C. 103(a) as being unpatentable over Curtis in view of Toba and in further view of Nelson (US 6,061,718).

Regarding **claim 3**, Curtis and Toba as applied to **claim 2** above differ from **claim 3** in that it fails to disclose switching the audio output mode of the portable telephone into a received message mode.

However, Nelson teaches a device further comprising a received message mode selecting key for switching the audio output mode of the portable telephone into a received message mode while the audio output mode is switched into the time mode, wherein a received message data displayed on the display section of the portable telephone is read out from the memory and a received message audio data corresponding to the received message data is read out from the audio memory in response to depression of the received message mode selecting key so that the readout received message audio data is outputted as said voice through the audio processing section and then the speaker (column 6, lines 12-31).

7. **Claims 4-7 and 10** are rejected under 35 U.S.C. 103(a) as being unpatentable over Courtis in view of Toba, in view of Nelson and in further view of Sainton et al. (US 6,134,453).

Regarding **claim 4**, Courtis, Toba and Nelson as applied to **claim 3** above differ from **claim 4** in that it fails to disclose switching the audio output mode of the portable telephone into a bell/vibration mode.

However, Sainton teaches a device further comprising a bell/vibration mode selecting key for switching the audio output mode of the portable telephone into a bell/vibration mode while the audio output mode is switched into the received message mode thereof, wherein a bell/vibration data displayed on the display section of the portable telephone is read out from the memory and a bell/vibration audio data corresponding to the bell/vibration data is read out from the audio memory in response to depression of the bell/vibration mode selecting key so that the read out bell/vibration audio data is outputted as said voice through the audio processing section and then the speaker (column 14, lines 1-10).

Regarding **claim 5**, Courtis, Toba, Nelson and Sainton as applied to **claim 4** above differ from **claim 5**.

In addition, Courtis discloses a device further comprising an antenna receiving electric field strength mode selecting key for switching the audio output mode of the portable telephone into an antenna receiving electric field strength mode while the audio output mode is switched into the bell/vibration mode, wherein an antenna receiving electric field strength data displayed on the display section of the portable telephone is read out from the memory and an antenna receiving electric field strength audio data corresponding to the antenna receiving electric field strength data is read out from the audio memory in response to depression of the antenna receiving electric field strength mode selecting key so that the read out- antenna receiving electric field strength audio data is outputted as said voice through the audio processing section and then the speaker (column 3, lines 6-20).

Regarding **claim 6**, Courtis discloses a device for audio outputting display data information displayed on a display section of a portable telephone, comprising:

an audio output key adapted to select an audio output mode of the portable telephone (column 4, lines 41-44) [The user press a button on the key pad to start the audio session];

an antenna receiving electric field strength mode selecting key adapted to switch the audio output mode of the portable telephone into an antenna receiving electric field strength mode while the audio output mode is switched into the bell/vibration mode (column 3, lines 6-20) [The antenna is coupled to the transceiver unit];

a memory adapted to store each data displayed on the display section of the portable telephone (column 4, lines 17-35) [The EEPROM is used to store data information];

an audio memory adapted to store each audio data corresponding to the audio output mode of the portable telephone (column 4, lines 17-35) [The EEPROM is used to store voice information];

an audio processing section adapted to modulate an audio signal inputted from a microphone for conversion to an audio data, and demodulate an audio data inputted from an RF processing section and the audio data stored in the audio memory to an audio signal to output the demodulated audio signal as a voice through a speaker (column 5, lines 7-40) [The audio processing is done by comparing voice tag from the microphone to the voice tags in the memory]; and

a control section adapted to read out the data displayed in the display section from the memory and the audio data corresponding to a selected audio output mode from the audio memory, respectively, when each of the mode selecting keys is depressed while a predetermined audio output mode is selected by manipulation of the audio output key to control the data read out from the memory and the audio data read out from the audio memory so that the audio data is outputted as a voice through the audio processing section and a speaker (column 5, lines 41-62) [The microprocessor selects the voice tag with the best waveform match to output through the earpiece].

Courtis fails to disclose switch the audio output mode of the portable telephone into a time mode.

However, Toba teaches a time mode selecting key adapted to switch the audio output mode of the portable telephone into a time mode while the audio output mode of the portable telephone is selected in response to depression of the audio output key (column 7, lines 1-29) [The telephone will say time].

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use switching the audio output mode of the portable telephone into a time mode of Toba in the invention of Courtis.

Doing so the voice would include calendar and time information.

Courtis and Toba fail to disclose switch the audio output mode of the portable telephone into a received message mode.

However, Nelson teaches a received message mode selecting key adapted to switch the audio output mode of the portable telephone into a received message mode while the audio output mode is switched into the time mode (column 6, lines 12-31) [The telephone will receive a message].

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use switch the audio output mode of the portable telephone into a received message mode of Nelson in the invention of Courtis and Toba.

Doing so the subscriber would retrieve his message to be displayed at the mobile station.

Courtis, Toba and Nelson fail to disclose switch the audio output mode of the portable telephone into a bell/vibration mode.

However, Sainton teaches a bell/vibration mode selecting key adapted to switch the audio output mode of the portable telephone into a bell/vibration mode while the audio output mode is switched into the received message mode (column 14, lines 1-10) [The telephone will vibrate instead of ring].

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use switch the audio output mode of the portable telephone into a bell/vibration mode of Sainton in the invention of Courtis, Toba and Nelson.

Doing so the control would actuate a vibration generator to notify the user of an incoming call.

Regarding **claim 7**, Curtis, Toba, Nelson and Sinton as applied to **claim 6** above differ from **claim 7**.

In addition, Curtis discloses a device, wherein the audio output key, the time mode selecting key, the received message mode selecting key, the bell/vibration mode selecting key, and the antenna receiving electric field strength mode selecting key are constructed as a single multi-function key which includes a function of each of the mode selecting keys (column 3, lines 21-41).

Regarding **claim 10**, Courtis discloses a method of outputting, as a voice, data information displayed on a display section of a portable telephone including an audio output key, a time mode selecting key, a received message mode selecting key, a bell/vibration mode selecting key, and a antenna receiving electric field strength mode selecting key (column 3, lines 21-41) comprising the steps of:

selecting an audio output mode of the portable telephone (column 4, lines 39-44)

[The user press a button on the key pad to start the audio session];

switching the audio output mode of the portable telephone into an antenna receiving electric field strength mode in response to depression of the antenna receiving electric field strength mode selecting key while the audio output mode is switched into the bell/vibration mode (column 3, lines 6-20) [The antenna is coupled to the transceiver unit];

storing each data displayed on the display section of the portable telephone in a memory (column 4, lines 17-35) [The EEPROM is used to store data information];

storing each audio data corresponding to the audio output mode of the portable telephone in an audio memory (column 4, lines 17-35) [The EEPROM is used to store voice information];

modulating an audio signal inputted from a microphone for conversion to an audio data, and demodulating an audio data inputted from an RF processing section and the audio data stored in the audio memory to an audio signal through an audio processing section to output the demodulated audio signal as voice through a speaker (column 5, lines 7-40) [The audio modulating is done by comparing voice tag from the microphone to the voice tags in the memory]; and

reading out the data displayed in the display section from the memory and the audio data corresponding to a selected audio output mode from the audio memory, respectively, when each of the mode selecting keys is depressed while a predetermined audio output mode is selected by manipulation of the audio output key to control the

data read out from the memory and the audio data read out from the audio memory so that the audio data is outputted as a voice through the audio processing section and the speaker (column 5, lines 41-62) [The microprocessor selects the voice tag with the best waveform match to output through the earpiece].

Courtis fails to disclose switch the audio output mode of the portable telephone into a time mode.

However, Toba teaches switching the audio output mode of the portable telephone into a time mode in response to depression of the time mode selecting key while the audio output mode of the portable telephone is selected in response to depression of the audio output key (column 7, lines 1-29) [The telephone will say time].

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use switching the audio output mode of the portable telephone into a time mode of Toba in the invention of Courtis.

Doing so the voice would include calendar and time information.

Courtis and Toba fail to disclose switch the audio output mode of the portable telephone into a received message mode.

However, Nelson teaches switching the audio output mode of the portable telephone into a received message mode in response to depression of the received message mode selecting key while the audio output mode is switched into the time mode column 6, lines 12-31) [The telephone will receive a message].

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use switch the audio output mode of the portable telephone into a received message mode of Nelson in the invention of Courtis and Toba.

Doing so the subscriber would retrieve his message to be displayed at the mobile station.

Courtis, Toba and Nelson fail to disclose switch the audio output mode of the portable telephone into a bell/vibration mode.

However, Sainton teaches switching the audio output mode of the portable telephone into a bell/vibration mode in response to depression of the bell/vibration mode selecting key while the audio output mode is switched into the received message mode (column 14, lines 1-10) [The telephone will vibrate instead of ring].

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use switch the audio output mode of the portable telephone into a bell/vibration mode of Sainton in the invention of Curtis, Toba and Nelson.

Doing so the control would actuate a vibration generator to notify the user of an incoming call.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Zicker et al. is cited for a cellular system with remotely program (FIG. 1).

Schwelb et al. is cited for a cellular network supporting audible information (FIG.


1).

Bottum is cited for a mobile interactive radio (FIG. 1).

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gerald Gauthier whose telephone number is (703) 305-0981. The examiner can normally be reached on 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (703) 305-4895. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4750.


g.g.
May 16, 2002

FAN TSANG
SUPERVISORY PATENT EXAMINER
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